

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)



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Applicant's or agent's file reference OPP030184KR	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/KR2004/000702	International filing date(day/month/year) 27 MARCH 2004 (27.03.2004)	Priority date (day/month/year) 28 MARCH 2003 (28.03.2003)	
International Patent Classification (IPC) or national classification and IPC IPC7 G02F 1/136			
Applicant SAMSUNG ELECTRONICS CO., LTD. et al			

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 3 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 20 OCTOBER 2004 (20.10.2004)	Date of completion of this report 02 SEPTEMBER 2005 (02.09.2005)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer KIM Jung Hun Telephone No. 82-42-481-5767 

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/KR2004/000702

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ the international application as originally filed/furnished
- ☒ the description:
 pages 1-18 _____ as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
- ☒ the claims:
 pages 19-20 _____ as originally filed/furnished
 pages* _____ as amended (together with any statement) under Article 19
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
- ☒ the drawings:
 pages _____ as originally filed/furnished
 pages* 1-41 _____ received by this Authority on 19/04/2004
 pages* _____ received by this Authority on _____

- ☐ the sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/KR2004/000702

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims	1-10,12,13	YES
	Claims	11	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Documnets cited in the International Search Report:

D1 : US-A-2002/0182766

D2 : US-B-6243146

D3 : US-B-6356330

1. None of the above documents disclose the special combination of features defined in Claims 1-10, 12 and 13. The invention defined in independent Claim 1 comprises a color filter formed on the data line and the drain electrode having a first opening which at least partially exposes the drain electrode. However, the documents fail to disclose the above color filter. Furthermore, there are no suggestions leading a person skilled in the art towards the invention defined in Claims 1-10, 12 and 13 in the documents. Therefore, the invention is novel and to involve an inventive step.

2. Claim 11 is not considered to involve an inventive step. D1(see figure 1) and D2(see figure 13) disclose a spacer overlapping the light blocking layer. Furthermore, independent Claim 11 does not embody any further technical elements except that the claimed invention comprises a spacer disposed between the first panel and the second panel to form a gap therebetween and overlapping the light blocking layer. Therefore, it is obvious to a person skilled in the art to create the claimed invention through the above documents.

3. Claims 1-13 are industrially applicable.